

# COMMSOUTH Media ASSOCIATES

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August 29, 1994

Mr. William F. Caton,  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

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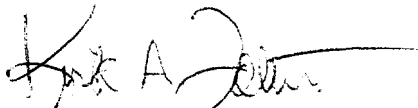
Re: MM Docket 94-78  
RM-8472  
Cloverdale, Alabama

Dear Secretary:

Please find enclosed an original and four (4) copies of Comments and Counterproposal filed in response to the Commission's Notice of Proposed Rulemaking in the above proceeding, filed herewith on behalf of Pulaski Broadcasting, Inc.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Sincerely,



Kirk A. Tollett  
Consultant to Pulaski Broadcasting, Inc.

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.202 (b)	)	MM Docket No. 94-78
Table of Assignments,	)	RM-8472
FM Broadcast Stations	)	
Cloverdale, Alabama	)	

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To: Chief, Policy and Rules Division

**COMMENTS AND COUNTERPROPOSAL**  
**OF PULASKI BROADCASTING, INC.**

Pulaski Broadcasting, Inc., (hereinafter "PBI"), by its consultant, and pursuant to Section 1.415 and 1.420 of the Commission's Rules and Regulations, hereby respectfully submits its Comments and a Counterproposal in response to the Commission's Notice of Proposed Rule Making ("NPRM"), DA94-735, released July 13, 1994 in the above captioned proceeding. PBI respectfully withdraws its support for the proposed allocation of Channel 254A to the Community of Cloverdale, Alabama and submits that the public interest, convenience, and necessity would be furthered by the allotment of FM Channel 254A to Saint Florian, Alabama as that communities first local transmission outlet. In support whereof, the following is respectfully shown:

1. As reflected in the attached technical exhibit, the requested assignment of FM Channel 254A at Saint Florian, Alabama can be made in full compliance with all applicable minimum mileage separations and other technical requirements under the Commission's Rules and Regulations. Channel 254A can be assigned to Saint Florian, Alabama with a

site restriction of 13.1 kilometers north-northeast, at a reference point of North Latitude 34° 59' 38" and West Longitude 87° 38' 50".

2. Saint Florian, Alabama is an incorporated community and is listed as a Census Designated Place by the U. S. Census Bureau and therefore is eligible for consideration as a community for allotment purposes. There is no broadcast facility currently licensed to Saint Florian, Alabama. Therefore, if adopted, this proposal would provide first local service to the community of Saint Florian, Alabama.

3. Finally, as can be ascertained from the attached declaration, if Channel 254A is allocated to Saint Florian, PBI will promptly apply for a construction permit for the new facility, and if the construction permit is granted, PBI will promptly construct a new FM facility in Saint Florian, Alabama.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kirk A. Tollett", with a long horizontal flourish extending to the right.

Kirk A. Tollett

Consultant to Pulaski Broadcasting, Inc.

Commsouth Media Associates  
4001 Highway 78 East  
Jasper, AL 35501  
(205) 384-4656  
August 25, 1994

## DECLARATION

I, Hershel Lake, hereby certify that:

1. That I am a citizen of the United States and of the State of Tennessee.
2. I am the President of Pulaski Broadcasting, Inc., a petitioner requesting the Federal Communications Commission to allocate FM Radio Channel 254A (98.7 MHz) to the community of Saint Florian, Alabama.
3. I have retained Kirk A. Tollett and Commsouth Media Associates to assist me in the preparation and filing of the required technical exhibits to facilitate the aforementioned rulemaking and subsequent Comments.
4. If FM Channel 254A or an equivalent Channel is allocated to Saint Florian, Alabama, I will promptly apply; either individually or as an entity of which I am a part, for a construction permit to operate the new FM broadcast station. If a construction permit is granted, I or an entity of which I am a part, will promptly construct and operate the station for which I am licensed.

I hereby certify under penalty of perjury that the above statement is true.  
Signed and dated this 29<sup>th</sup> day of August, 1994



Hershel Lake  
President  
Pulaski Broadcasting, Inc.  
P.O. Box 738  
Pulaski, Tennessee 38478

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**Prepared by:**  
**Kirk A. Tollett**  
**Commsouth Media**  
**Associates**  
**4001 Highway 78 East**  
**Jasper, AL 35501**

**Prepared for:**  
**Hershel Lake**  
**Pulaski Broadcasting, Inc.**  
**P.O. Box 738**  
**Pulaski, Tennessee 38478**

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**Technical Statement**

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**MM Docket 94-78**

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**August 26, 1994**

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**TECHNICAL STATEMENT**  
In support of  
**Comments and Counterproposal**  
**MM Docket 94-78, RM-8472**

**Pulaski Broadcasting, Inc.**  
**Cloverdale and Saint Florian, Alabama**

**INTRODUCTION**

This technical statement has been prepared on behalf of Pulaski Broadcasting, Inc., ("PBI"), licensee of Radio Stations WKSR-AM and WINJ-FM, Pulaski, Tennessee. This statement is provided in support of its Comments and Counterproposal offered in response to MM Docket 94-78.

**COMMENTS**

As the initial petitioner in MM Docket 94-78, PBI had requested the allocation of FM Channel 254A to the community of Cloverdale, Alabama. Since Cloverdale is not readily definable as a community for allotment purposes by current Commission standards, PBI wishes to withdraw its support for the proposed allocation at Cloverdale and requests the Commission consider its counterproposal to allocate Channel 254A to Saint Florian, Alabama.

**COUNTERPROPOSAL**

PBI, pursuant to Section 1.415 of the Commission's Rules, herewith is submitting a Counterproposal in response to the Commission's Notice of Proposed Rulemaking (MM Docket 94-14), requesting a change in the FM Table of Assignments, Paragraph 73.202(b) of the FCC Rules as follows:

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Location	Present	Proposed
Saint Florian, Alabama	None	254A

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Saint Florian, Alabama is an incorporated City located in the central portion of Lauderdale County, in Northwest Alabama. 1990 U.S. Census figures for the City of Saint Florian was 388 persons. The 1990 Census figures for Lauderdale County were 79,661 persons. No local broadcast service is currently available to the City of Saint Florian, Alabama.

Figure 1, is a computer generated allocation study using the Commission's specified method of distance computations, demonstrating the assignability of FM Channel 254A to Saint Florian, Alabama. The information contained in Figure 1, was utilized in preparation of the pertinent arcs contained in Figure 2.

Figure 2 is a full scale reproduction of a portion of a USGS 1:250,000 scale map entitled "Gadsden, Alabama". Upon it has been superimposed a cross mark which represents the coordinates utilized in the preparation of this Report. The geographic coordinates selected for this study were:

N 34° 59' 38"

W 87° 38' 50"

Figure 2, details the area of Saint Florian and the pertinent arcs from all co-channel as well as adjacent channel facilities, allocated, assigned or operational within 200 miles of the proposed allocation. Figure 2 demonstrates there is ample clearance to locate a tower site that would place the required unobstructed city grade signal, (70 dBu), over the entire City of Saint Florian, Alabama. It can be determined from Figure 2, that Channel 254A can be allocated to Saint Florian with a site restriction of 13.2 kilometers to the north-northwest. Figure 3 contains a NOAA 1:500,000 scale map entitle "Atlanta" upon which has been superimposed the predicted 70 dBu city grade contour of the proposed facility from the referenced site. Figure 3 clearly demonstrates the city grade signal of the proposed facility utilizing a hypothetical tower, with a center of radiation 100 meters above average terrain and an effective radiated power of six kilowatts will encompass the community of Saint Florian.



## **CONCLUSION**

As can be gleaned from the attached figures, Channel 254A can be added to the Federal Communications Commission Table of Assignments with out the necessity of any other changes and without the creation of any new preclusion area. Based on this information, and the figures that are included in this Report, we believe that the proposed assignment would be in full compliance with the Federal Communications Commission's Rules, and that Channel 254A could be assigned to Saint Florian, Alabama as that communities first local broadcast service.

Therefore, Pulaski Broadcasting, Inc., respectfully requests amendment of the Commission's Table of Assignments, Section 73.202(b), and will promptly apply for a construction permit, should the Federal Communications Commission make the requested assignment.

Respectfully,



Kirk A. Tollett

Consultant to Pulaski Broadcasting, Inc.

August 25, 1994

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## **FIGURES INDEX**

**FIGURE 1.....FM SEPARATION STUDY  
CHANNEL 254A**

**FIGURE 2.....FM CLEARANCE MAP  
CHANNEL 254A**

**FIGURE 3.....PREDICTED CITY  
GRADE CONTOUR**

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**FIGURE 1**  
**FM SEPARATION STUDY**  
**PULASKI BROADCASTING, INC.**  
**NEW-FM, CHANNEL 254A**  
**SAINT FLORIAN, ALABAMA**

NEW-FM search of channel 254A+ (98.7 MHz), at N. 34 59 38, W. 87 38 50.

Searching Channel 254A+ (98.7 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW-T	Athens	AL	201	D	A	66.7	0.0	108.8°	66.7
W201AR	Huntsville	AL	201	D	L	105.8	0.0	105.6°	105.8
WURC	Holly Springs	MS	201	A	L	166.2	10.0	261.8°	156.2
NEW	Jackson	TN	201	A	A	132.7	10.0	303.9°	122.7
W201AP	Jackson	TN	201	D	L	132.7	0.0	303.9°	132.7
W201AS	Loretto	TN	201	D	C	22.5	0.0	62.5°	22.5
WFSKFM	Nashville	TN	201	A	L	150.9	10.0	30.4°	140.9
W251AC	Capshaw	AL	251	D	C	85.4	0.0	103.2°	85.4
W251AC	Capshaw	AL	251	D	L	85.4	0.0	103.2°	85.4
WTXT	Fayette	AL	251	C1	L	185.9	75.0	183.6°	110.9
ALC	Millington	TN	251	C	U	237.4	95.0	282.8°	142.4
WYKL	Millington	TN	251	C1	C	201.4	75.0	275.7°	126.4
WYKL	Millington	TN	251	C	L	237.4	95.0	282.8°	142.4
ALC	Scottsboro	AL	252	A	U	158.0	31.0	106.5°	127.0
W252AO	Florence	AL	252	D	C	21.9	0.0	184.3°	21.9
W252AO	Florence	AL	252	D	A	8.0	0.0	181.6°	8.0
WKEAFM	Scottsboro	AL	252	A	L	158.0	31.0	106.5°	127.0
ALC	Pulaski	TN	252	A	U	53.5	31.0	71.6°	22.5
WINJ	Pulaski	TN	252	A	L	53.5	31.0	71.6°	22.5
WINJ	Pulaski	TN	252	A	C	53.5	31.0	71.6°	22.5
WRJB	Camden	TN	252	A	L	125.0	31.0	340.7°	94.0
ALC	Tupelo	MS	253	C1	U	123.7	133.0	231.7°	-9.3
WZLQ	Tupelo	MS	253	C1	L	123.7	133.0	231.7°	-9.3
WZLQ	Tupelo	MS	253	C1	C	166.0	133.0	236.5°	33.0
ALC	Cookeville	TN	253	C2	U	235.2	106.0	57.2°	129.2
WHUBFM	Cookeville	TN	253	C2	L	235.2	106.0	57.2°	129.2
ALC	Ider	AL	254	A	A	188.0	115.0	96.2°	73.0
ALC	Warrior	AL	254	A	D	147.0	115.0	153.9°	32.0
ALC	Warrior	AL	254	C3	V	142.4	142.0	149.8°	0.4
ALC	Cloverdale	AL	254	A	A	12.9	115.0	241.6°	-102.1
W254AA	Colbert Heights	AL	254	D	L	38.5	0.0	185.2°	38.5
WFFN	Cordova	AL	254	C3	A	143.1	142.0	160.6°	1.1
WLBI	Warrior	AL	254	A	L	149.2	115.0	150.8°	34.2
ALC	Hopkinsville	KY	254	C1	U	209.8	200.0	3.3°	9.8
WHOPFM	Hopkinsville	KY	254	C1	L	209.8	200.0	3.3°	9.8
NEW-T	Nashville	TN	254	D	A	145.7	0.0	29.1°	145.7
W254AE	Nashville	TN	254	D	C	151.8	0.0	31.2°	151.8
ALC	Montgomery	AL	255	C	U	317.3	165.0	154.9°	152.3
WBAMFM	Montgomery	AL	255	C	L	317.3	165.0	154.9°	152.3
ALC	Kennett	MO	255	C	U	263.0	165.0	298.7°	98.0
KTMO	Kennett	MO	255	C	L	263.0	165.0	298.7°	98.0
ALC	Brooksville	MS	255	C3	V	191.9	89.0	203.9°	102.9
NEW	Brooksville	MS	255	C3	A	200.9	89.0	204.4°	111.9
ALC	Lebanon	TN	255	A	U	190.4	72.0	40.9°	118.4
W255AD	Ashland City	TN	255	D	C	152.2	0.0	19.6°	152.2
WANT	Lebanon	TN	255	A	L	183.7	72.0	42.9°	111.7
ALC	Huntsville	AL	256	C	U	94.6	95.0	103.3°	-0.4
WAHR	Huntsville	AL	256	C	L	94.6	95.0	103.3°	-0.4
W205AR	Milan	TN	256	D	A	144.8	0.0	314.3°	144.8
ALC	Booneville	MS	257	A	U	93.6	31.0	245.1°	62.6
WBIPFM	Booneville	MS	257	A	L	93.6	31.0	245.1°	62.6
ALC	Lexington	TN	257	A	U	98.2	31.0	316.4°	67.2
W257AR	Donelson	TN	257	D	L	158.2	0.0	34.1°	158.2
W257AR	Donelson	TN	257	D	C	158.2	0.0	34.1°	158.2
WZLT	Lexington	TN	257	A	L	98.2	31.0	316.4°	67.2

